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★ SUBJECT CIA Director Casey and the Press

5 MARTIN AGRONSKY: Jack, the CIA Director, Mr. Casey, continues to pressure the press, and he now says that the media reaction has been very hysterical, that he really has no intention of scuttling the freedom of the press.

Now, are you feeling hysterical about Mr. Casey's words or his deeds?

5 JAMES J. KILPATRICK: Not I, Martin. But I will say this: that as a breed, we of the press are the most sensitive, think-skinned people that ever were. And yes, we're a bunch of Chicken Littles, and some of my brothers and sisters have been hysterical.

AGRONSKY: Strobe?

5 STROBE TALBOTT: Well, by saying that we're hysterical, he's accusing us, of course, of overreacting. He's the one that overreacted, and he overreacted in a way that did have some ominous implications for the First Amendment. But fortunately, he's not getting away with it and he's backing down.

AGRONSKY: Carl?

5 CARL ROWAN: Well, I'm suffering now from hysteria, but a very good memory of a dozen years ago when the CIA was trampling on the rights of the American people, carrying out illegal drug tests on unsuspecting people. And I also know that one of the things these guys like to do is to hide their inefficiency and their mistakes. And one of the ways to do that is to keep the pressure on the press.

AGRONSKY: Charles?

CHARLES KRAUTHAMMER: Well, I don't think this is a case of the NSA or the CIA trampling on rights. I think it is national security.

Mr. Casey is not known for his way with words. What he should have said is that there are many in the press who have a lot of information on the NSA and who have withheld it because they put country over circulation, and there's going to be a temptation now to use the Pelton trial as a way to get this stuff out.

And he was simply -- I would like to think that he was saying, "Try to restrain yourselves, and keep the materials secret if you can."

AGRONSKY: Well, a further discussion of some of these observations in a minute.

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AGRONSKY: Jack, I would join with the rest of our colleagues here in feeling that Mr....

KILPATRICK: I thought you would.

AGRONSKY: Yes -- that Mr. Casey does pressure the press wrongly and that his concerns are not at all justified.

Now, you are in a minority. Why?

KILPATRICK: Bah, humbug, and all that.

I've been in this news business 45 years. You've been in it 50 years. Carl's been in it God knows how long. And so has Charles. For the past 45 years people in public life have been trying to get me not to write something. And you just don't pay any attention to this, Martin, after you've been in the business long enough. And a mature press would pay no attention to Bill Casey's statement at all. They will do what they want to do.

TALBOTT: Wait a minute, Jack.

KILPATRICK: Not chilled.

TALBOTT: How many times in your 45 years has somebody threatened to put you in jail for publishing something?

KILPATRICK: Oh, that wasn't a threat. Great day in the

morning. They're not going to pay anybody in jail. Why do you take this stuff seriously?

ROWAN: Wait a minute, Jack. He asked Justice to prosecute NBC.

KILPATRICK: Oh, consider it, or something or other. That's a scare tactic.

ROWAN: Well, let me tell you where we differ. Now, you say that you would pay no attention to it. I say the reason we have the freest press in the world is that we always pay attention to it.

KILPATRICK: Who's chilled?

ROWAN: And every time somebody comes up talking about an Official Secrets Act, we jump all over them. And we ought to or we wouldn't be as free as we are today.

KILPATRICK: Every time they say the free press is being chilled, I go around and I ask my brothers, "Do you feel chilled?"

"Not me. Nobody feels chilled."

TALBOTT: But, see, that's just the problem. Charles makes the best defense of Casey that could be made, and that is that Casey is not threatening to send us to jail. He's simply trying to get us to exercise some self-restraint.

The effect of this kind of tactic is going to be just the opposite because he's throwing down the gauntlet to the press and he's in some ways giving the press a bigger incentive to go ahead and publish...

KILPATRICK: Then we're even more childish than I think we sometimes are.

KRAUTHAMMER: I don't think that's so. I don't think this is a challenge. I think he did overstate his case when he said the press shouldn't speculate. But if what they're intending to say is the stuff that you already had on the NSA, which everyone knows is extremely sensitive and which a lot of the people in the press have withheld, if you have that, don't try to sneak it in under the guise of explaining certain references in the Pelton trial.

That seems to be an eminently reasonable request.

KILPATRICK: What's so unreasonable about that? Does that chill you?

Thank you, Charles. I mean you said it so much better than I.

ROWAN: Let me make the point, though, the most egregious damage to U.S. national security in these last few years were not done by anybody in the press. They were done by a man who worked for NSA, a man who worked for CIA, guys they didn't handle properly, guys who probably should not have been where they were in the first place. And it is a smokescreen to try to say the press is to blame when it's Casey and Odom and these guys who are guilty of misfeasance and malfeasance.

KILPATRICK: You can dish it out but you can't take it, Carl.

ROWAN: I take it.

KRAUTHAMMER: The press isn't to blame. But the fact that other people have betrayed their country in the CIA or have acted loosely with secrets is no excuse for saying it's okay for journalists to publish secrets which they know are going to harm the national security.

KILPATRICK: Right on, Charles.

TALBOTT: Journalists who know something is going to harm the national interest aren't going to publish it.

KRAUTHAMMER: And they haven't. And I think that's commendable.

AGRONSKY: Well, if it's commendable and they haven't, what is all the fuss all about?

KILPATRICK: Exactly. Why are we talking about this?

KRAUTHAMMER: Because in the Pelton trial right now there are all kinds of references to botched operations early in 1980 which apparently people have known about but are now being very discreet in describing.

TALBOTT: No, that's not it. But what's new about this and what all the fuss is about is that the Administration, and particularly the Director of Central Intelligence, are using the threat of criminal prosecution against the press for the first time.

ROWAN: Let me just make one point. I have always argued that there are things the public has a right not to know. And I know that there are things newsmen will withhold. My argument is that it's the newsmen who make that final decision, and not Casey, the head of the CIA.

KILPATRICK: Casey can't make the final decision.

ROWAN: Well, he's trying to make it by pre-publication threats.

KILPATRICK: And you're scared to death.

TALBOTT: He's trying to get us to use our judgment and make decisions not to publish things not on the basis of our own feelings about whether it's in the national interest, but on the basis of our fears of whether we're going to end up in jail.

AGRONSKY: May I ask us to look at another aspect of Mr. Casey and the CIA? And I would regard it -- and what I would urge you to look at, Jack, is I think the utterly miserable kind of security that they maintain themselves in that organization.

KILPATRICK: Not bad. It's a big organization, Martin.

AGRONSKY: All right. Well, let's take the case of the gentleman named Howard, now missing, whom the CIA knew was a Soviet agent. And the FBI apparently was involved with the CIA in running this gentleman down. Right? They do run him down. They discover all of it. And he says, "Listen. Give me a couple of days, fellas, while I try to get accustomed to the situation which I'm in and so that I can now deal with this problem." They say, "Fine." They give him two days, and he disappears, and he's still disappeared.

Now, let's remember Yevchenko [sic], the Soviet defector who apparently gave us some excellent information. They took him to dinner and let him walk away.

How about an investigation of the way the CIA conducts its own operations? Don't you think that's a good idea?

KILPATRICK: Who's going to do the investigation?

AGRONSKY: Well, who investigates the investigator?

TALBOTT: The press is going to do the investigation, is the answer to that question.

ROWAN: Whether Casey likes it or not, the press will do it.

KILPATRICK: Look, the CIA messes something up. That's fair game. Sure. They mess a lot of things up. But once 30 years ago I made a mistake. I misspelled a word. That's the only error I can ever remember making, Martin. Otherwise my record is pretty flawless.

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So the CIA has had a series of flubs. Okay. It's a tremendous operation.

AGRONSKY: Well, they're pretty significant flubs.

KILPATRICK: But it's a tremendous operation. And they can't tell you about the good things they do. The things that come off right, they never publicize. It's when something like this Howard thing comes out.

TALBOTT: Almost by definition, we're only going to know about the ones that go wrong.

AGRONSKY: Twenty years ago we had this organization committed to some kind of powder that would cause Castro's beard to fall out?

KILPATRICK: Yeah, his beard was going to fall out.

AGRONSKY: I think that often they function like a bunch of clowns over there, and I think we ought to take a look at it.

KILPATRICK: How often?

AGRONSKY: Well, here are two very recent cases.

KRAUTHAMMER: There's a difference between taking a look at and talking about how we encode and encrypt data in listening devices off the Soviet Union.

. It seems to me that what Casey has done wrong, of course, is to talk about jail and criminal activity. I think that's absolutely wrong. But it's not wrong for him to urge people and persuade them. Because it seems to me that the press does have kind of an internal policing mechanism. NBC was hit very hard for its Abbas interview, and just the other night on the NBC news they spoke about a Sakharov tape which they wouldn't take because it was a KGB tape. I think it's an example that even the networks are educable on these issues.

KILPATRICK: Some sense of self-restraint there.

AGRONSKY: Well, let's end this discussion with those few kind words for the press and the media.